

**Delaware Department of Labor
Division of Employment and Training
Agricultural Service Plan
Program Year 2013**

Purpose:

To establish guidelines, interpretations, and a standard operating plan for the State of Delaware in order to implement an effective outreach program to assure that Migrant and Seasonal Farmworkers (MSFWs) receive all the Department of Labor (DOL) manpower services, protections, and benefits. These include the full range of counseling, testing, training, and related services on a basis which is "qualitatively equivalent" and "quantitatively proportionate" to those services provided to non-farmworkers.

Objective:

The outreach program shall include a vigorous effort to contact MSFWs who are not being reached by the normal intake activities conducted by the One-Stops by seeking out such workers in their living areas and/or if possible, in their work places. The program shall involve developing and improving the Division of Employment and Training (DET) role as the One-Stop Operator through the on-going review and monitoring of the Memoranda of Understanding signed by the One-Stop Partners and by improving relationships with other public and private community-based agencies who may have interactions with MSFWs.

I. Assessment of Need:

A. A review of the previous year's agricultural activity in the state

1. Identify each major labor intensive crop active during the previous year, indicating the geographic areas of prime activity and the months of heavy activity.

Agricultural activity remains basically the same each year, with increased or decreased acreage as deemed appropriate by individual agricultural employers. Vegetable and fruit crops using seasonal labor to hand harvest and machine harvest are: apples, cabbage, sweet corn, peas, pumpkins, potatoes, strawberries and asparagus. Labor needs for Program Year 2013 are expected to be approximately 478 MSFWs during the peak employment period of mid June through the end of October 30, 2013. The majority of the farms are located in Kent and Sussex Counties in Delaware.

2. Identify agricultural employers who placed job orders with the One-Stop Career Center/Labor Exchange offices, the number of workers requested, and the number of workers referred and hired.

Job orders for the agricultural employers were completed and entered into the Delaware Job Link system for Program Year 12. The monitor advocate conducted onsite visits to each farm to assist with the completion of these job orders.

3. Identify non-agricultural employers who placed job orders with entry-level experience and education requirements, the number of workers requested, and the number of workers referred/hired through the One-Stop Career Center/Labor Exchange Offices.

There were a total of 522 non-agricultural employers who placed a total of 6279 job openings with the Delaware One-Stop Centers. There were 18083 non-agricultural workers referred to positions.

B. A review of the previous year’s MSFW activity in the state

1. Provide an estimate of the agricultural labor employed in each of the crops identified in 1.A. Estimate the number of MSFWs involved in each crop, and indicate crop areas that experienced shortages.

Crop Area	Estimated Labor Employed	Number MSFWs employed
Peas	0	0
Lima Beans	0	0
Cabbage	68	68
Potatoes	192	192
Asparagus	102	102
Pumpkin	45	45
Apples	45	45
Strawberries	45	45
Mushrooms	30	30

There are no labor shortages reported in any of the above mentioned crop areas.

2. Provide an estimate of the number of agricultural employers in the State, the number of acres dedicated to farming, the number of workers utilized during the previous year and the projected need for the PY 2013, and if the State anticipates a shortage of workers and how many.

- 3.

Agricultural Employers	Number of Acres Dedicated to Farm	Number of Workers Utilized PY 2012	Projected Need for PY 2013
Charles H. West	500 acres	0	0
Lazy Boy Farms	500 acres	19	19
Papen Farms	2000 acres	54	54
Fifer Orchards	2500 acres	99	99
Broad Acres	315 acres	37	37

ACN Associates Inc. Nursery	200 acres	116	116
Arthur Wicks & Sons	500 acres	19	19
Forest View Nursery Inc	250 acres	3	3
John Stinson & Sons	38,400 sq feet	11	11
Raymond Stachecki	150 acres	20	20
Shadybrook Farms	650 acres	37	37
TS Smith & Sons	800 acres	3	3
Magee Farms (New Farm for PY12)	400 acres	60	60
Camoirano Mushrooms Inc	Mushrooms are grown in buildings only	0	6

There are no labor shortages reported in any of the above mentioned crop areas.

- Using the information in B.1 and B.2. above, assess the State's ability to meet the labor needs of agricultural employers in the PY 2013.

The State Agricultural Clearance Order system is not applicable in the State of Delaware because Delaware is a non-significant state. Delaware is able to meet the needs of the agricultural employers in PY 2013 utilizing MSFW's that migrate to the state each year.

C. Projected level of agricultural activity expected in the State in the coming year

- Identify any changes from last year's crop activities as described in item I.A.

The crop activities are expected to be the same for PY 2013.

D. Projected number of MSFWs in the State in the coming year

- Estimate the number of MSFWs needed for each crop as described in item I.A.

Crop Area	Estimated number of MSFWs needed
Peas	0
Lima Beans	0
Cabbage	73
Potatoes	113
Asparagus	99
Pumpkin	102
Apples	102
Strawberries	102

Mushrooms	17
Corn	60

2. Indicate if an adequate supply of U.S. workers is anticipated, or if a shortage of U.S. workers is anticipated.

Delaware One-Stops will make every effort to recruit local laborers to fill the labor needs of the agricultural growers.

II. Outreach Activities

A. Assessment of Outreach Resources

1. Updates on Significant MSFW Local Offices. Significant Local Offices are those where MSFWs account for 10 per cent or more of annual applicants. In addition, local offices that are located in areas with a large number of MSFWs can be designated as Significant, even if MSFWs do not account for 10 per cent of applications.

Delaware is not a significant state, however our Dover One-Stop Career Center, 1114 S. Dupont Highway, Suite 104, Dover, DE 19901 has the most MSFW activity.

2. The names of local outreach staff, the areas they serve, the rationale for their area assignment, and whether they are dedicated to MSFW services full- or part-time. Significant MSFW local offices listed in Table 3 should assign full-time staff for outreach duties during the peak seasons, as indicated in 20 CFR Part 653.107(h)(3)(i).

Keyla Rivero-Rodriguez, State Farm Program Coordinator/State Monitor Advocate, serves the MSFW program statewide. She is a full-time employee performing required MSFW duties during the peak season. Outreach will begin each year in April and end in October. The Monitor Advocate is normally scheduled two half days beginning in April and ending in May, then will begin two full days during the peak season beginning in June through the end of October to provide outreach services to MSFWs. The State of Delaware plans to spend \$60,883 in Wagner-funding to support the MSFW program yearly.

Monthly Regional conference call is conducted the 4th Wednesday of each month at 2:00pm and the National conference call is conducted on the 4th Thursday of each month at 2:00pm. However, these times are subject to change. This year the State Monitor Advocate attended the Annual MAFO National Farmworker Conference, held in San Antonio, TX from March 17, 2013 to March 20, 2013.

3. State central office staff working with the MSFW program.

Keyla Rivero-Rodriguez, State Farm Program Coordinator/State Monitor Advocate, serves the MSFW program statewide. She is a full-time employee performing required MSFW duties during the peak season.

4. Where the number of staff assigned to outreach is less than in the prior year, provide an explanation for the reduction and the expected effect on outreach and services, as indicated in 20 CFR Part 653.107(h)(3)(i).

N/A

5. Identify resources available through existing cooperative agreements with public and private community service agencies and MSFW groups. States are encouraged to initiate cooperative agreements with WIA Section 167 grantees to share and/or combine outreach positions. States are also encouraged to form strategic partnerships of multiple regional stakeholders, including education partners, research and development institutions and non-traditional partners, etc., to maximize resources and support and respond to the evolving dynamics and demands of the economy.

Delaware Department of Labor, Division of Employment & Training has a Memorandum of Agreement with the Department of Health and Social Services, Division of Public Health. The objective of this memorandum is to eliminate the duplication of inspections of Migratory Labor Camps by State Agencies. In addition, clients needing supportive services are referred to local agencies in the Dover One-Stop and the local community to receive services. Those services include but are not limited to: food, shelter, clothing, medical care, etc.

Delaware JobLink (DJL), is the Division of Employment and Training's (DET) main tool that is used both in the local One Stops and can be accessed through the internet. The Job Search system enables a job seeker to search for jobs locally, regionally and nationally. In addition, it links to websites that provide assessment tools to assist a job seeker in additional career exploration as well as job search.

Below is a list of additional tools the MSFW worker uses to conduct outreach:

- Brochures outlining the services DET provides to job seekers
 - Outreach logs and referral sheets
 - Supportive service brochures and contact information
 - Complaint forms and logs
 - OSHA heat campaign information is distributed
6. Identify existing partners in the One-Stop Career Center/Labor Exchange Offices currently performing outreach services in the same administrative area and the efforts currently being taken to avoid duplicating activities. Examples of what offices can do are: sharing outreach logs, coordinating contacts with employers and

organizations, exchanging forms, pamphlets, fliers, etc., that are normally given to customers, etc.

The Division of Employment & Training has a partnership with the Division of Public Health through a Memorandum of Agreement (MOA) to eliminate the duplication of inspections of Migratory Labor Camps by State Agencies. Public Health conducts preoccupancy housing inspections prior to occupancy according to Delaware Code. Public Health notifies the State Monitor Advocate of the scheduled inspection. When possible, both agencies will conduct the inspection together. Additional outreach efforts are conducted through the below partner services to MSFW's:

- La Esperanza provides outreach and supportive services to includes referral to local health services, legal services, childcare, etc.
- La Red provides direct medical services, as needed.
- Telamon provides onsite supportive services and health information and direct medical services to MSFW's.
- Westside Family Healthcare also provides health information and direct medical services to MSFW's.
- Bay Health Medical Center
- Kent/Sussex County Counseling
- Delaware Breast Cancer Coalition
- DDOE Migrant Education Program

Regular meetings will be scheduled with all partners to ensure continued outreach and delivery of supportive services, as needed.

7. Identify the agricultural/non-agricultural employers that use agency services.

The State Farm Program Coordinator conducts outreach activities targeting Charles H. West, Lazy Boy Farms, Papen Farms, Fifer Orchards, Broad Acres, ACN Associates Inc. Nursery, Arthur Wicks & Sons, Forest View Nursery, Inc., John Stinson & Sons, Raymond, Stachecki, Shadybrook Farms, TS Smith & Sons, and Magee Farms to determine their continued participation in the program. However, the State Farm Program Coordinator has not targeted non-agricultural employers to date.

B. Numerical Goals

1. Anticipated number of MSFWs to be contacted by Labor Exchange staff during PY 2013, list by local office where outreach staff is assigned, as well as the State Office as indicated in 20 CFR Part 653.107©(3).

It is anticipated that approximately 478 MSFWs will receive Labor Exchange services statewide during PY 2013. Outreach staff is assigned to the Dover One Stop Office at 1114 S. DuPont Highway, Dover , DE 19901 – Carrols Plaza Suite 104.

2. Anticipated number of staff days (one staff day equals one 7.5 hour day) to be utilized for outreach, list by local office where outreach staff is assigned, as well as staff at the State Office.

The State Farm Program Coordinator anticipates conducting statewide outreach services for 53 days during PY 2013.

3. Anticipated number of MSFWs to be contacted by other agencies under cooperative arrangements.

Not applicable.

4. Anticipated number of agricultural employers to be contacted by outreach staff for the purpose of obtaining job orders, conducting job development, providing assistance with the State's electronic system, etc.

Approximately 12 agricultural employers will be contacted.

C. Proposed Outreach Activities

1. Identify strategies for the coming year to serve farmworkers and employers, and the intended results of those strategies.

Strategies for the coming year include:

- Have the ability to communicate in Spanish, and be a backup person for Spanish language interpretation and translation of written materials as needed.
- Locate and become familiar with all community resources that provide services to MSFWs.
- Delaware JobLink (DJL), is the Division of Employment and Training's (DET) main tool that is used both in the local One Stops and can be accessed through the internet. The Job Search system enables a job seeker to search for jobs locally, regionally and nationally. In addition, it links to websites that provide assessment tools to assist a job seeker in additional career exploration as well as job search.
- Visit agricultural employers prior to the beginning of their planting season to discuss their employment needs and advise them of support services that are available to workers and their families. During these visits, discuss anticipated MSFW arrival dates, offer services to orient the workers on specific job requirements and check to insure that their contractors are in possession of required registration certificates.

- Visit the agricultural employer to schedule an outreach session with the MSFWs and establish a visiting schedule for the season.
- Discuss the full range of services available at the One-Stop Offices, which includes referral to long-term, year-round employment opportunities as alternatives to seasonal or migratory agricultural work; training opportunities; social services, including Federal and State assistance programs; and information regarding farm worker rights and the DET Complaint System. Below is a list of additional tools the MSFW worker uses to conduct outreach:

Brochures outlining the services DET provides to job seekers
 Outreach logs and referral sheets
 Supportive service brochures and contact information
 Complaint forms and logs

- Visit community groups and organizations, church groups, migrant school recruiters, and service agencies to exercise all possible efforts to contact MSFWs. Supply copies of the bilingual "Service to Farm Workers" pamphlet. Attend monthly meetings with other partner services, as necessary.
- Discuss the DET Complaint System and assure that established complaint procedures are complied with. Assist MSFWs in the preparation and submission of complaint forms.
- Use the outreach log and the outreach referral sheet, as appropriate, to document outreach activities. This log will be maintained on a daily basis and serve as the source document for data entered on the monthly and quarterly outreach reports. Prepare the monthly summary report of outreach efforts, using data contained on the outreach logs and other documents maintained to verify outreach efforts.
- Immediately following the arrival of migrant crews, the outreach worker will contact the Farm Labor Contractor and examine his/her Farm Labor Contractor Certificate of Registration to insure compliance with Federal requirements. On this visit, the outreach worker will prepare all appropriate forms.
- Report and document in writing all suspected violations and refer to the appropriate enforcement agency.

2. Identify workforce challenges and how the State plans to approach them in the coming year.

None have been identified at this time. The State Farm program coordinator has been employed for five (5) years in this position.

3. Explain how the State will create awareness of seasonal work opportunities and fill job orders according to the timelines of the worker and employer.

The State Farm Program Coordinator will meet with the agricultural employers at the end of their peak crop season and prior to the beginning of their planting season to discuss their labor needs and need for additional services.

4. Identify how the State can provide MSFWs with longer periods of employment by combining seasonal agricultural jobs with seasonal non-agricultural jobs.

The State Farm Program Coordinator will orientate the MSFWs to employment services that can be accessed through the One Stop Service Delivery System in order to increase the opportunities for migrant and seasonal farmworkers to transition into occupations with high employment and wage growth potential both within and outside agricultural industry.

5. Identify how the State will coordinate MSFW outreach activity with Local Workforce Investment Areas to eliminate duplication and gain efficiency.

DOL/DET is a comprehensive and integrated One-Stop service delivery system where employees provide both WIA and Wagner Peyser services to job seekers, utilizing one shared management information system. DET's service delivery system promotes co-enrollment of migrant and seasonal farmworkers in WIA Title I formula funded adult and dislocated worker services, and services provided by other One-Stop partner agencies.

6. Identify which employers, in which local areas, will be contacted through outreach the coming year and why.

Approximately 12 agricultural employers are expected to be contacted. The State Farm Program Coordinator will conduct employer outreach activities targeting Camoirano Mushrooms Inc., Lazy Boy Farms, Papen Farms, Fifer Orchards, Broad Acres, ACN Associates Inc. Nursery, Arthur Wicks & Sons, Forest View Nursery, Inc., John Stinson & Sons, Raymond Stachecki, Shadybrook Farms, TS Smith & Sons.

III. Services Provided to MSFWs through the One-Stop/LE System

A. Planning Data for the Upcoming Year

<u>Equity Service Indicators</u>	<u>Required (%)</u>
<i>Based on period ending 3/31/2013</i>	
Parity ratio with non-MSFWs referred to jobs	36
Parity ratio with non-MSFWs receiving services	55
Parity ratio with non-MSFWs referred to support services	1.90
Parity ratio with non-MSFWs provided career guidance	2.20
Parity ratio with non-MSFWs for whom a job development contact was made	0

B. Significant MSFW Local Office Affirmative Action Plans

Delaware is not designated as a significant local office in the region.

IV. Services Provided to Agricultural Employers through the One-Stop/LE System

A. Data Analysis

1. Please provide the previous year's history for (based on PY 2012 data):

	PY 2012	PY 2013 Projections
Agricultural job orders and openings received	12	12/305
Agricultural job orders filled	0	12
Percent to be filled	0	100%
Interstate clearance orders received	0	0
Interstate clearance orders initiated	0	0

B. Narrative Description

1. How the SWA plans to provide labor exchange services to agricultural employers.

The Division serves the agricultural community by locating; screening and referring qualified workers from other areas through the Agricultural Recruitment System when qualified local workers are unavailable.

2. How the workforce system identifies agricultural employers expected to hire MSFWs.

The State Farm Program Coordinator (SFPC) routinely consults statewide agricultural employers to advise them of the One-Stop services. The SFPC gathers information data on employer labor needs necessary to develop plans for meeting specific needs on specified dates, including follow up with employers to rotate crews when necessary.

3. The process for linking available workers with the employers, including the cooperation with or the creation of coordinating bodies to assure programs are coordinated and to insure programs respond to local needs. These coordinating groups may consist of organizations such as the WIA Section 167 grantees, agricultural employers, migrant education groups, and migrant health groups.

Delaware Department of Labor, Division of Employment & Training retains a cooperative agreement with the Delaware Department of Health and Social Services – Division of Public Health to provide services to MSFWs during the peak season. SFPC also works cooperatively with the Department of Education and Westside Medical and other partner agencies to meet the needs of farmworkers. Farmworkers

are also referred to the local One-Stop for training opportunities with the WIA program.

4. How the State will promote labor exchange services to agricultural employers, e.g., participate in employer conferences, develop marketing tools, provide labor exchange information to employers and recent U.S. workers.

The State continually strives to provide all customers with One-Stop access to the complete array of State and Federal employment and training programs. Universal access and integrated services, including access by migrant and seasonal farm workers (MSFWs), is a central principle of the service delivery system.

During the pre and post agricultural employer visits the SFPC provides labor exchange information and materials to employers. The Division serves the agricultural community by locating; screening and referring qualified workers from other areas through the Agricultural Recruitment System when qualified local workers are unavailable.

5. Efforts to increase U.S. worker participation, where an H-2A program operated in the State in the previous year.

Universal access and integrated services promotes employment opportunities to all qualified workers who can fulfill the labor needs of the agricultural recruitment system.

V. Other Commentary

1. State Monitor Advocate

The State Monitor Advocate has reviewed and concurs with the PY 2013 Agricultural Services Plan.

2. MSFW Affirmative Action Plans (AAP)

Delaware is not designated as a significant local office in the region.

3. Review and Public Comment.

A copy of the PY 2013 Agricultural Service Plan will be submitted as a modification to the Delaware State Strategic Plan.